

PATENT COOPERATION TREATY

PCT

DECLARATION OF NON-ESTABLISHMENT OF INTERNATIONAL SEARCH REPORT

(PCT Article 17(2)(a), Rules 13ter.1(c) and Rule 39)

Applicant's or agent's file reference O.Z. 6313-WO	IMPORTANT DECLARATION		Date of mailing(day/month/year) 07/09/2005
International application No. PCT/EP2004/053669	International filing date(day/month/year) 22/12/2004	(Earliest) Priority date(day/month/year) 19/02/2004	
International Patent Classification (IPC) or both national classification and IPC C23C16/40 B05D1/40 H01L21/312			
Applicant DEGUSSA AG			

This International Searching Authority hereby declares, according to Article 17(2)(a), that **no international search report will be established on the international application for the reasons indicated below**

1.  The subject matter of the international application relates to:
  - a.  scientific theories.
  - b.  mathematical theories
  - c.  plant varieties.
  - d.  animal varieties.
  - e.  essentially biological processes for the production of plants and animals, other than microbiological processes and the products of such processes.
  - f.  schemes, rules or methods of doing business.
  - g.  schemes, rules or methods of performing purely mental acts.
  - h.  schemes, rules or methods of playing games.
  - i.  methods for treatment of the human body by surgery or therapy.
  - j.  methods for treatment of the animal body by surgery or therapy.
  - k.  diagnostic methods practised on the human or animal body.
  - l.  mere presentations of information.
  - m.  computer programs for which this International Searching Authority is not equipped to search prior art.
2.  The failure of the following parts of the international application to comply with prescribed requirements prevents a meaningful search from being carried out:
 

the description       the claims       the drawings
3.  The failure of the nucleotide and/or amino acid sequence listing to comply with the standard provided for in Annex C of the Administrative Instructions prevents a meaningful search from being carried out:
 

the written form has not been furnished or does not comply with the standard.

the computer readable form has not been furnished or does not comply with the standard.
4.  The failure of the tables related to the nucleotide and/or amino acid sequence listing to comply with the technical requirements provided for in Annex C-b/s of the Administrative Instructions prevents a meaningful search from being carried out:
 

the written form has not been furnished.

the computer readable form has not been furnished or does not comply with the technical requirements.
5. Further comments:  
see annex

Name and mailing address of the International Searching Authority  European Patent Office, P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk Tel. (+31-70) 340-2040, Tx. 31 651 epo nl, Fax: (+31-70) 340-3016	Authorized officer Maria Van der Hoeven
---	--

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 203

Present claims 1-6 relate to an extremely large number of possible processes, products and uses. Support within the meaning of Article 6 PCT and disclosure within the meaning of Article 5 PCT is, however, not to be found for any of the possible processes, products and uses claimed. In the present case, the claims so lack support, and the application so lacks disclosure, that a meaningful search is impossible. Consequently, no search has been performed.

The applicant's attention is drawn to the fact that claims relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure. If the application proceeds into the regional phase before the EPO, the applicant is reminded that a search may be carried out during examination before the EPO (see EPO Guideline C-VI, 8.5), should the problems which led to the Article 17(2) declaration be overcome.